

Morgan Lewis

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September 29, 2021

Via ECF

The Honorable Katherine Polk Failla
United States District Judge
United States District Court
For the Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Stevez v. Annaly Capital Management, Inc., Case No. 1:21-cv-06470-KPF
Request to Extend Time to Respond

Dear Judge Failla:

We represent defendant Annaly Capital Management, Inc. ("Defendant") in connection with the above-referenced action. Pursuant to Your Honor's Individual Rules, we write, with the consent of counsel for Plaintiff Arturo Stevez ("Plaintiff"), respectfully to request that the Court extend Defendant's time to respond to the Complaint for a period of 30 days, *i.e.*, from October 4, 2021 to November 3, 2021. This is Defendant's first request for an extension of time to respond to the Complaint.

In support of this request, counsel for Defendant states that the parties are engaged in discussions about a possible early resolution of this action. If granted, this extension will not affect any other date scheduled in this action. As noted above, Plaintiff's counsel consents to this request.

We thank the Court in advance for its consideration of this request.

Respectfully submitted,

/s/ Michael F. Fleming

Michael F. Fleming

Attorney for Defendant

cc: All Counsel of Record (via ECF)

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Application GRANTED. Further, the initial pretrial conference scheduled for October 29, 2021, is hereby ADJOURNED to November 18, 2021, at 3:00 p.m. The parties' joint letter and Proposed Case Management Plan and Scheduling Order will be due on or before November 11, 2021.

Dated: September 30, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE